

**HARMONY TOWNSHIP LAND USE BOARD
3003 BELVIDERE ROAD
PHILLIPSBURG, N.J. 08865
AGENDA
REGULAR MEETING
March 1, 2023 – 6:00 p.m.
Meeting Will Automatically Adjourn at 9:00 p.m.**

Call To Order by Chairperson

Open Public Meeting Statement read by Chairperson

Pledge of Allegiance led by Chairperson

Roll Call

1. Case #23-2; Gallagher-Murphy/Cornely Property
Minor Subdivision with Variance Public Hearing
-Public Comments
2. Attorney William Mandry; Informal Discussion re potential law office at Harker's
Hollow Golf Club Facility
3. Master Plan Re-Examination Follow Up
4. Public Comment Period
5. Motion To Adjourn

THIS AGENDA IS SUBJECT TO CHANGE BEFORE OR DURING MEETING

February 3, 2023

Harmony Land Use Board
3003 Belvidere Road
Phillipsburg, NJ 08865

**RE: Gallagher-Murphy, Cornely Property
Minor Subdivision and Variance Review
3088 River Road
Block 5, Lot 3
Harmony Land Use Case #23-2
Our Project Number 5402.059**

Dear Board Members:

Our office provides this completeness and technical review to the above-referenced project. The following information was used as a basis for the review:

- A. Harmony Township Land Use Board Memorandum, dated January 10, 2023
- B. Harmony Township Land Use Board Application, dated December 28, 2022
- C. Plan entitled "Sketch Plat for Proposed Minor Subdivision, Tax Lot 3, Block 5, T.M. Sheet 1.02, The Township of Harmony, Warren County, New Jersey", prepared by Swanson Land Surveying, LLC, dated November 28, 2022, consisting of one (1) sheet

I. Project Description

This Application is for a minor subdivision of a parcel of land along Hutchinson River Road, also known as Warren County Route 622. The lot is identified as Block 5, Lot 3, and is located within the R-150, Residential District in Harmony Township between River Road and the Delaware River. The Applicant is seeking to divide their existing 10,043 s.f. property into two separate parcels where Lot 3.01 contains 6,161 s.f. and Lot 3 contains 3,882 s.f. There are no structures located on the existing lot with the exception of a set of metal stairs to access the Delaware River.

While not explicitly stated within their application, the proposed minor subdivision shows that the proposed lot line is directly incidental to the existing lot line of the parcels opposite the County right-of-way, on Block 6, Lot 3.01 and Block 6, Lot 1. Similarly, the nomenclature for the proposed lots matches these adjacent parcels.

The present lot is undersized, and the subdivision will further this non-conformity, therefore a "C" Variance approval is required for the minimum lot area.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Leesport, PA 610-670-6630

II. Completeness Review

The Applicant has submitted an application seeking approval from a “C” Variance, however they did not submit the required “Checklist A” for Minor Subdivision. This office has reviewed the application in accordance with that checklist and makes the following comments. (Please note that, while the checklist and the associated comments reference §148 – Subdivision of Land as the authoritative ordinance, it is noted that in 1990, this chapter was replaced with the more current §425 – Subdivision of Land. For simplicity, this office uses the code listed on the checklist, §148)

1. §148-6.A – Taxes and Assessment

Verification Required – Planning Board shall confirm if Applicant has submitted certification of taxes paid. Applicant should provide a copy to demonstrate compliance.

2. §148-6.B(c) – Submission of Sketch Plat – Fees in Accordance with 148-4A(1)

Verification Required – Planning Board shall confirm if fees have been submitted as required.

3. §148-11.A(6 and 7) – Common Requirements – Driveway Location Certification and Driveway Feasibility

Testimony Required – Applicant appears to be proposing this subdivision to align with adjacent subdivisions. If there is no intent to develop these parcels, and instead they are to be deeded to their respective adjacent lots, then this requirement should be waived. As such, Applicant shall provide testimony to the intent of this application.

4. §148-12.A(1) – Key Map

Temporary Waiver Required – Pursuant to the updated code identified in §425-11(2)g), which appears to be the successor to the checklist requirement, Applicant must provide a key map that must show a number of requirements that are not covered by the current key map on the provided plans. This office has no objections to waiving this requirement.

5. §148-12.A(11) – Setback Lines

Testimony Required – Applicant has provided a sketch plat that does not show setback lines, whereas they are required. However, depending on the intent of the application, and if the subdivided properties are to be deeded to the main parcels, this requirement may not be necessary. Applicant shall provide testimony to the intent of this application. This office has no objections to waiving this requirement should testimony support our assessment.

6. §148-12.A(16) – Easements

Testimony Required – Applicant has not indicated the presence of any easements on the property. To ensure this is not an error, Applicant shall provide testimony to the easements on site, if any, and how they are being handled in the subdivision process, if applicable.

III. Zoning Review

The subject parcel is located within the R-150, Residential Zone. Additionally, the subject lot and proposed subdivided lots have no structures on them. Therefore, this office provides the following simplified zoning table for review:

R-150: Residential Zone				
Requirements	Required	Existing (Lot 3)	Proposed (Lot 3)	Proposed (Lot 3.01)
Minimum Lot Area (Sqft)	20,000	10,043 (E)	3,882 (V)	6,161 (V)
Minimum Lot Width (Feet)	100	238.33	93.09 (V)	145.24

(E) Existing, non-conforming condition

(V) Variance Required

1. Variances

a. §525-20 – Minimum Lot Area (Lot 3)

Variance Requested – Applicant is proposing a minimum lot area for proposed lot 3 of 3,882 square feet, whereas 20,000 square feet is the minimum, therefore a variance is required. This is an existing, non-conforming condition that is being expanded by this subdivision. Applicant has requested this variance.

b. §525-20 – Minimum Lot Area (Lot 3.01)

Variance Requested – Applicant is proposing a minimum lot area for proposed lot 3.01 of 6,161 square feet, whereas 20,000 square feet is the minimum, therefore a variance is required. This is an existing, non-conforming condition that is being expanded by this subdivision. Applicant has requested this variance.

c. §525-20 – Minimum Lot Width (Lot 3)

Variance Requested – Applicant is proposing a minimum lot width for proposed lot 3 of 93.09 linear feet, whereas 100 square feet is the minimum, therefore a variance is required. This is an existing, non-conforming condition that is being expanded by this subdivision. Applicant has requested this variance.

2. Design Waivers

There are no design waivers associated with the subject lot subdivision.

IV. Technical Review

There are no proposed improvements that warren or require a technical review for this application, however due to the nature of the subdivision, this office provides the following:

1. This office strongly suggests establishing a connecting deed between the two proposed lots as a result of this application to their respective block-adjacent counterparts. This is to prevent potential development on these undersized lots, which would be discouraged regardless due to their proximity to the adjacent Delaware River.

V. Outside Approvals:

1. Letters of Approval or No Interest may be required from the following outside agencies or departments:
2.
 - a. Warren County Health Department
 - b. Warren County Planning Board

We reserve the right to make additional comments as new information become available and is preliminary as additional submissions and testimony is required to complete our review.

Very truly yours,
Van Cleef Engineering Associates

s/Stanley J. Schrek

Stanley J. Schrek, PE, AIA, PP, CME, LEED AP
Planning Board Engineer

CC: All Board Members (Via LUB Secretary)
Greg Gianforaro, Esq. Board Attorney (Via email: gianforarolaw@msn.com)
William R. Edleston, Esq., Applicant's Attorney (Via email: Bill@edlestonlaw.com)
David B. Swanson, PLS, Applicant's Surveyor (Via U.S. Mail: 1060 Harmony Station Road, Phillipsburg, NJ 08865)
Amy Rose Gallagher Murphy, Applicant (Via U.S. Mail: 3088 River Road, Phillipsburg, N.J. 08865)
Richard and Patricia Cornely, Applicant (Via U.S. Mail: 3090 Hutchinson River Road, Phillipsburg, N.J., 08865)

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Kelley Smith

From: William Mandry <wemlaw@verizon.net>
Sent: Thursday, February 23, 2023 12:13 PM
To: Kelley Smith; Stan Schrek
Cc: Bill Mandry; greg@gianforcarolawfirm.com; btipton@fpsflawfirm.com
Subject: William E. Mandry PC/Harkers Hollow

Kelley:

Thank you for putting me on the agenda for a March 1, 2023, for a brief Informal in connection with my law office move to Harkers Hollow.

Bill Mandry



**William E. Mandry
Law Offices, P.C.**

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